

1 Beatrice B. Nguyen (CSB No. 172961, bbnguyen@crowell.com)  
2 CROWELL & MORING LLP  
275 Battery Street, 23rd Floor  
3 San Francisco, CA 94111  
Telephone: 415.986.2800  
Facsimile: 415.986.2827

4 Michael N. Rader (*Pro Hac Vice*, mrader@wolfgreenfield.com)  
5 John L. Strand (*Pro Hac Vice*, jstrand@wolfgreenfield.com)  
Gerald Hrycyszyn (CSB No. 227814, ghrycyszyn@wolfgreenfield.com)  
6 Eric G. J. Kaviar (*Pro Hac Vice*, ekaviar@wolfgreenfield.com)  
WOLF, GREENFIELD & SACKS, P.C.  
7 600 Atlantic Avenue  
Boston, MA 02210-2206  
8 Telephone: 617.646.8000  
Facsimile: 617.646.8646

9 Attorneys for Defendants  
10 E INK HOLDINGS, INC. and E INK CORPORATION

11  
12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15 COPYTELE, INC., a Delaware  
16 Corporation,

17 Plaintiff,

18 v.

19 E INK HOLDINGS, Inc., a Taiwanese  
corporation; and E INK CORPORATION,  
20 a Delaware corporation,

21 Defendants.

22 Case No. 3:13-cv-00378-EMC

23 **STIPULATION AND [PROPOSED]  
ORDER CONTINUING THE MAY 9 CASE  
MANAGEMENT CONFERENCE TO  
JUNE 6, 2013**

24 [Civil L. R. 6-2(a)]

1           WHEREAS, on January 28, 2013, Plaintiff CopyTele, Inc. ("CopyTele") filed the above-  
 2 captioned action against Defendants E Ink Holdings, Inc. ("EIH") and E Ink Corporation ("EIC"  
 3 and collectively, "E Ink");

4           WHEREAS, EIC's response to the Complaint was due on February 22, 2013;

5           WHEREAS, on February 15, 2013, CopyTele and EIC agreed and stipulated to an interim  
 6 extension until March 8, 2013, for EIC to answer or otherwise respond to the Complaint while the  
 7 parties finished negotiations on a final extension (Dkt. No. 12);

8           WHEREAS, on March 6, 2013, CopyTele and E Ink agreed and stipulated that E Ink will  
 9 have until April 29, 2013, to answer or otherwise respond to the Complaint (Dkt. No. 25);

10          WHEREAS, on February 19, 2013, the Court issued a Case Management Scheduling  
 11 Order, which set the Case Management Conference for May 2, 2013 (Dkt. No. 10);

12          WHEREAS, on March 28, 2013, the Court reset the Case Management Conference to  
 13 May 9, 2013 (Dkt No. 26);

14          WHEREAS, E Ink intends to file a motion to dismiss the Complaint on or before April 29,  
 15 2013, with a noticed hearing date of June 6, 2013;

16          WHEREAS, briefing on E Ink's motion to dismiss will not yet be complete on May 9,  
 17 2013, when the Case Management Conference is currently scheduled;

18          WHEREAS, continuing the Case Management Conference until June 6, 2013, the  
 19 anticipated hearing date on E Ink's motion to dismiss, would promote judicial economy and  
 20 efficiency and facilitate productive case management; and

21          WHEREAS, with the Case Management Conference continued to June 6, 2013, the Case  
 22 Management Conference Statement would be due on or before May 30, 2013, pursuant to Civil  
 23 General Standing Order No. 6, and no other case deadline would be affected;

24          **IT IS HEREBY STIPULATED AND AGREED** that:

25          1.       The Case Management Conference scheduled for May 9, 2013, will be continued  
 26 to June 6, 2013, at 1:30 p.m., the date and time that E Ink's motion to dismiss will be noticed to  
 27 be heard by the Court.

28          2.       Pursuant to Civil General Standing Order No. 6, the Case Management Conference

STIPULATION AND [PROPOSED] ORDER  
 CONTINUING CMC TO JUNE 6, 2013;  
 CASE NO. 3:13-cv-00378-EMC

1 Statement will be due on or before May 30, 2013.

2 Dated: April 19, 2013

CROWELL & MORING LLP

3 /s/ Beatrice B. Nguyen

4  
5 Beatrice B. Nguyen  
Attorneys for Defendants  
E INK HOLDINGS, INC. and E INK  
CORPORATION

6  
7  
8 Dated: April 19, 2013

WOLF, GREENFIELD & SACKS, P.C.

9 /s/ Michael N. Rader

10 Michael N. Rader  
John L. Strand  
Gerald Hrycyszyn  
Eric G. J. Kaviar  
11 Attorneys for Defendants  
12 E INK HOLDINGS, INC. and E INK  
13 CORPORATION

14  
15 Dated: April 19, 2013

LIEFF, CABRASER, HEIMANN  
& BERNSTEIN, LLP

16 /s/ David T. Rudolph

17 Eric B. Fastiff  
David T. Rudolph  
Melissa Gardiner  
18 Attorneys for Plaintiff COPYTELE, INC.  
19

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21  
22 **ATTESTATION**

23 Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in the  
24 filing of this document has been obtained from the other signatories.

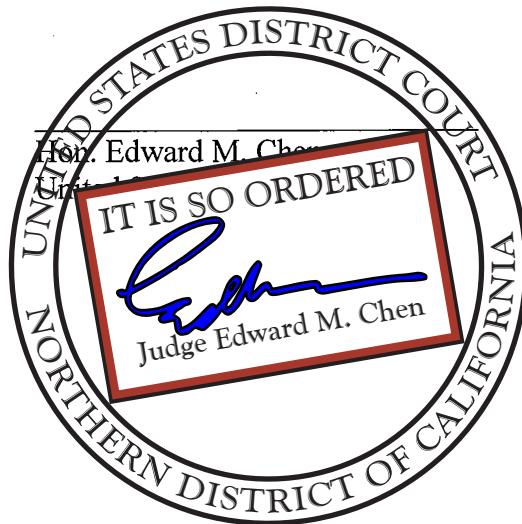
25 DATED: April 19, 2013

/s/ Beatrice B. Nguyen  
Beatrice B. Nguyen

1 [PROPOSED] ORDER  
2

3 PURSUANT TO STIPULATION, IT IS SO ORDERED. For good cause shown, the  
4 Case Management Conference scheduled for May 9, 2013, is hereby continued to June 6, 2013, at  
5 1:30 p.m. The parties shall file the joint Case Management Conference Statement on or before  
6 May 30, 2013.

7 Dated: 4/22, 2013  
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